27th November 1928]

Action taken on the adjournment motion regarding Bharathi's songs.

*724-F Q.—Mr. D. NARAYANA RAJU : Will the hon. the Law Member be pleased to state—

(a) what steps, if any, Government have taken to give effect to the adjournment motion carried in this Council on 9th October 1928, regarding the seizure of copies of Bharathi's songs by the Police ;

(b) whether the opinion of the House and the proceedings of the debate on the subject have been communicated to the Government of Burma ; and

(c) whether there has been any correspondence on the subject between this Government and the Burma Government since 9th October 1928 ; and, if so, whether Government will be pleased to place the same on the table of the House ?

A.—(a) The Government have issued instructions to the Police not to make any seizures till further orders.

(b) No.

(c) In connexion with the application filed in the High Court by the Superintendent of the Hindi Prachar Press, Triplicane, this Government asked the Government of Burma for instructions regarding the conduct of the case. They stated in reply that the application should be opposed.

Mr. D. NARAYANA RAJU :—" May I know, Sir, whether the Madras Government have communicated the opinion of this House in this matter to the Government of Burma ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No, Sir."

Mr. D. NARAYANA RAJU :—" Why not, Sir ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because the Government do not consider it necessary."

Mr. D. NARAYANA RAJU :—" May I know why the Government asked for instructions from the Government of Burma with regard to the suit pending before the High Court ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It was on the notification of the Burma Government that the Madras Police took action."

Mr. S. SATYAMURTI :—" May I know whether, when suits are filed against this Government in the local High Court, it is usual to get instructions from another local Government ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" In this particular case the action of the Madras Police was based on the action of the Burma Government ; therefore this Government thought it necessary to take instructions from the Burma Government."

Mr. S. SATYAMURTI :—" May I ask whether the Government have decided to oppose the application in the High Court ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes ; at the instance of the Burma Government this Government have decided to oppose the application."

[27th November 1928

Mr. S. SATYAMURTI :—" May I know whether the Government have consulted their own law officers as to the desirability and the validity of opposing the petition in the High Court ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No, Sir."

Mr. S. SATYAMURTI :—" Why, Sir, were they not consulted ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because they are acting purely on the instructions of the Burma Government."

Mr. S. SATYAMURTI :—" May I enquire whether, in case the Madras Government lost the case before the High Court, the Burma Government is going to foot the Bill ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That question will be considered hereafter."

Mr. A. KALESWARA RAO :—" May I know whether this Government have applied its mind to the seditious character of the poems ? "

The hon. the PRESIDENT :—" The question whether the poems are seditious or not, is *sub judice*."

Mr. A. RANGANATHA MUDALIYAR :—" May I know whether the Government are aware that what may be objectionable in a particular place under the conditions prevailing there may not be objectionable in another place ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I have answered more than once that this Government are acting purely on the instructions of the Burma Government."

Mr. S. SATYAMURTI :—" May I know, Sir, whether the instructions of the Government of Burma to this Government are to oppose the application in the High Court on the ground that the whole book must be treated as seditious or only certain passages and if so, which passages ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Their instructions are to oppose the application."

Mr. A. RANGANATHA MUDALIYAR :—" What may be objectionable in Burma may not be objectionable in Madras."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Madras Government are opposing the application purely because the Burma Government wanted them to do so."

Mr. S. SATYAMURTI :—" May I ask if the Government are taking the position in the High Court that the two books should entirely be proscribed or any portions thereof and if so, which portions ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It is left to the legal advisers who appear for the Government."

Mr. S. SATYAMURTI :—" Of which Government ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The legal advisers of this Government."

Mr. P. BHAKTAVATSULU NAYUDU :—" Have the Government no independent view in the matter ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Absolutely none; they have not considered the question at all."